

Chapter I

ON ARISTOTLE'S POLITICS

According to the traditional view, it was not Aristotle but Socrates who originated political philosophy or political science. More precisely, according to Cicero, Socrates was the first to call philosophy down from heaven, to establish it in the cities, to introduce it also into the households, and to compel it to inquire about men's life and manners as well as about the good and bad things. In other words, Socrates was the first philosopher who concerned himself chiefly or exclusively, not with the heavenly or divine things, but with the human things. The heavenly or divine things are the things to which man looks up or which are higher than the human things; they are super-human. The human things are the things good or bad for man as good or bad for man and particularly the just and noble things and their opposites. Cicero does not say that Socrates called philosophy down from heaven to earth, for the earth, the mother surely of all earthly things and perhaps the oldest and therefore the highest goddess, is itself super-human. The divine things are higher in rank than the human things. Man manifestly needs the divine things but the divine things do not manifestly need man. In a parallel passage Cicero speaks not of "heaven" but of "nature": the higher than human things from whose study Socrates turned to the study of the human things, is "the whole nature," "the kosmos," "the nature of all things." This implies that "the human things" are not "the nature of man"; the study of the nature of man is part of the study of nature.¹ Cicero draws our attention to the special effort which was required to turn philosophy toward the

¹ Cicero, *Tusc. disput.* V 10, and *Brutus* 31. Cf. Xenophon, *Memorabilia* I 1.11-12 and 1.15-16, *Hiero* 7.9, *Oeconomicus* 7.16 and 7.29-30, as well as Aristotle, *Metaphysics* 987b1-2 and *Eth. Nic.* 1094b7, 14-17; 1141a20-22, b7-8; 1143b21-23; 1177b31-33.

human things: philosophy turns primarily away from the human things toward the divine or natural things; no compulsion is needed or possible to establish philosophy in the cities or to introduce it into the households; but philosophy must be compelled to turn back toward the human things from which it originally departed.

The traditional view regarding the beginnings of political philosophy or political science is no longer accepted. Prior to Socrates, we are told, the Greek sophists turned to the study of the human things. As far as we know, Socrates himself did not speak about his predecessors as such. Let us then see what the man who takes Socrates' place in Plato's *Laws*, the Athenian stranger, says about his predecessors, about all or almost all men who prior to him concerned themselves with inquiries about nature. According to him, these men assert that all things which have come into being ultimately out of and through certain "first things" which are not strictly speaking "things" but which are responsible for the coming into being and perishing of everything that comes into being and perishes; it is the first things and the coming into being attending on the first things which these men mean by "nature"; both the first things and whatever arises through them, as distinguished from human action, are "by nature." The things which are by nature stand at the opposite pole from the things which are by *nomos* (ordinarily rendered as "law" or "convention"), *i.e.* things which are not only not by themselves, nor by human making proper, but only by men holding them to be or positing that they are or agreeing as to their being. The men whom the Athenian stranger opposes assert above all that the gods are only by law or convention. For our present purpose it is more immediately important to note that according to these men the political art or science has little to do with nature and is therefore not something serious. The reason which they advance is that the just things are radically conventional and the things which are by nature noble differ profoundly from the things which are noble by convention: the way of life which is straight or correct according to nature consists in being superior to others or in lording it over the others whereas the way of life which is straight or correct according to convention consists in serving others. The Athenian stranger disagrees entirely with his predecessors. He asserts that there are things which are just by nature. He can also be said to show by deed—by the fact that he teaches

legislators—that he regards the political art or science as a most serious pursuit.²

In order to be able to act and to speak as he does, the Athenian stranger need not abandon the fundamental distinction from which the men whom he opposes start. Despite the most important difference between him and them, the distinction between nature and convention, between the natural and the positive, remains as fundamental for him, and for classical political philosophy in general, as it was for his predecessors.³ Our failure to recognize this is partly due to modern philosophy. We cannot do more than to remind readers of the most obvious points. The distinction mentioned became questionable primarily through the reasoning which was meant also to dispose of chance. The “explanation” of a chance event is the realization that it is a chance event: the fortuitous meeting of two men does not cease to be fortuitous when we know the whole prehistory of the two men prior to their meeting. There are then events which cannot meaningfully be traced to preceding events. The tracing of something to convention is analogous to the tracing of something to chance. However plausible a convention may appear in the light of the conditions in which it arose, it nevertheless owes its being, its “validity,” to the fact that it became “held” or “accepted.”⁴ Against this view the following reasoning was advanced: the conventions originate in human acts, and these acts are as necessary, as fully determined by preceding causes, as natural as any natural event in the narrow sense of the term; hence the distinction between nature and convention can only be provisional or superficial.⁵ Yet this “universal consideration regarding the concatenation of the causes” is not helpful as long as one does not show the kind of preceding causes which are relevant for the explanation of conventions. Natural conditions like climate, character of a territory, race, fauna, flora appear to be especially relevant. This means, however, that in each case the “legislator” has prescribed what was best for his people or that all customs are sensible or that all legislators

² *Laws* 631d1–2; 690b7–c3; 870e1–2; 888e4–6; 889b1–2, 4, c4, d–890a; 891c2–3, 7–9, e5–6; 892a2–3, c2–3; 967a7–d2.

³ Consider especially *Laws* 757c–e.

⁴ *Eth. Nic.* 1134b19–21.

⁵ Spinoza, *Tr. theol.-pol.* IV (sect. 1–4 Bruder).

are wise. Since this sanguine assumption cannot be maintained, one is compelled to have recourse also to the errors, superstitions, or follies of the legislators. But one can do this only as long as one possesses a natural theology of one kind or another as well as knowledge of what constitutes the well-being, the common good, of any people. The difficulties which were encountered along this way of explaining conventions led people to question the very notion of convention as some sort of making; customs and languages, it was asserted, cannot be traced to any positing or other conscious acts but only to growth, to a kind of growth essentially different from the growth of plants and animals but analogous to it; that growth is more important and of higher rank than any making, even the rational making according to nature. We shall not insist on the kinship between the classical notion of "nature" and this modern notion of "growth." It is more urgent to point out that partly as a consequence of the modern notion of "growth," the classical distinction between nature and convention, according to which nature is of higher dignity than convention, has been overlaid by the modern distinction between nature and history according to which history (the realm of freedom and of values) is of higher dignity than nature (which lacks purposes or values), not to say, as has been said, that history comprehends nature which is essentially relative to the essentially historical mind.

The Athenian stranger, to return, unlike his predecessors, takes the political art or science seriously because he acknowledges that there are things which are by nature just. He traces his divergence from his predecessors to the fact that the latter admitted as first things only bodies whereas, according to him, the soul is not derivative from the body or inferior in rank to it but by nature the ruler over the body. In other words, his predecessors did not recognize sufficiently the fundamental difference between body and soul.⁶ The status of the just things depends on the status of the soul. Justice is the common good *par excellence*; if there are to be things which are by nature just there must be things which are by nature common; but the body appears to be by nature each one's own or private.⁷ Aristotle goes to the end of this road by asserting that the political association is by nature and that man is by nature political

⁶ *Laws* 891c1-4, e5-892b1; 896b10-c3.

⁷ *Laws* 739c6-d1 (cf. *Republic* 464d8-9 and 416d5-6).

because he is the being characterized by speech or reason and thus capable of the most perfect, the most intimate union with his fellows which is possible: the union in pure thought.⁸

The assertion of the Athenian stranger is confirmed by what Aristotle says about the sophists' manner of dealing with the political things. He says that the sophists either identify political science with rhetoric or subordinate it to rhetoric. If there are no things which are by nature just or if there is not by nature a common good, if therefore the only natural good is each man's own good, it follows that the wise man will not dedicate himself to the community but only use it for his own ends or prevent his being used by the community for its end; but the most important instrument for this purpose is the art of persuasion and in the first place forensic rhetoric. Someone might say that the most complete form in which one could use or exploit the political community would be the exercise of political power and especially of tyrannical power and that such exercise requires, as Machiavelli showed later on, deep knowledge of political things. According to Aristotle, the sophists denied this conclusion; they believed that it is "easy" to discharge well the non-rhetorical functions of government and to acquire the knowledge needed for this purpose: the only political art to be taken seriously is rhetoric.⁹

Aristotle does not deny however that there was a kind of political philosophy prior to Socrates. For Aristotle, political philosophy is primarily and ultimately the quest for that political order which is best according to nature everywhere and, we may add, always.¹⁰ This quest will not come into its own as long as men are entirely immersed in political life, be it even in the founding of a political community, for even the founder is necessarily limited in his vision by what can or must be done "here and now." The first political philosopher will then be the first man not engaged in political life who attempted to speak about the best political order. That man, Aristotle tells us, was a certain Hippodamus. Before presenting the political order proposed by Hippodamus, Aristotle speaks at some length of Hippodamus' way of life. Apart from being the first polit-

⁸ *Politics* 1253a1-18, 1281a2-4.

⁹ *Eth. Nic.* 1181a12-17. Cf. Isocrates, *Antidosis* 80-83; Plato, *Gorgias* 460a3-4 (and context), *Protagoras* 318e6-319a2 and *Theaetetus* 167c2-7.

¹⁰ Cf. *Eth. Nic.* 1135a4-5.

ical philosopher, Hippodamus was also a famous town planner, he lived, from ambition, in a somewhat overdone manner in other respects also (for instance he paid too much attention to his clothing), and he wished to be learned also regarding the whole nature. It is not Aristotle's habit to engage in what could even appear to be slightly malicious gossip. The summarized remark is the only one of its kind in his entire work. Shortly before speaking of Hippodamus, when discussing Plato's political writings, Aristotle describes "Socrates' speeches" (*i.e.* particularly the speeches occurring in the *Republic* and the *Laws*) by setting forth their high qualities; but he does this in order to legitimate his disagreement with those speeches: since the Socratic speeches, especially those about the simply best political order, exert an unrivaled charm, one must face that charm as such. When speaking of Eudoxus' hedonistic teaching, Aristotle remarks that Eudoxus was reputed to be unusually temperate; he makes this remark in order to explain why Eudoxus' speeches were regarded as more trustworthy than those of other hedonists.¹¹ We may therefore assume that Aristotle did not make his remark about Hippodamus' way of life without a good reason. Whereas the first philosopher became ridiculous on a certain occasion in the eyes of a barbarian slave woman,¹² the first political philosopher was rather ridiculous altogether in the eyes of sensible freemen. This fact indicates that political philosophy is more questionable than philosophy as such. Aristotle thus expresses in a manner somewhat mortifying to political scientists the same thought which Cicero expresses by saying that philosophy had to be compelled to become concerned with political things. Aristotle's suggestion was taken up in modern times by Pascal who said that Plato and Aristotle, being not pedants but gentlemen, wrote their political works playfully: "this was the least philosophic and the least serious part of their life . . . they wrote of politics as if they had to bring order into a madhouse." Pascal goes much beyond Aristotle, for, while admitting that there are things which are by nature just, he denies that they can be known to unassisted man owing to original sin.¹³

¹¹ *Politics* 1267b22–30; cf. 1265a10–13 and 1263b15–22 as well as *Eth. Nic.* 1172b15–18.

¹² Plato, *Theaetetus* 173e1–174b7; Aristotle, *Politics* 1259a6–18.

¹³ *Pensées* (ed. Brunschvicg) frs. 331 and 294. Cf. Plato, *Laws* 804b3–c1.

The best political order proposed by Hippodamus is distinguished by unusual simplicity: the citizen body is to consist of 10,000 men and of 3 parts; the land is to be divided into 3 parts; there are only 3 kinds of laws, for there are only 3 things about which lawsuits take place; regarding verdicts in lawcourts provision must be made for the 3 alternatives. After having considered this scheme which seems to be so clear, Aristotle is forced to note that it involves great confusion: the confusion is caused by the desire for a kind of clarity and simplicity which is alien to the subject matter.¹⁴ It looks as if some account of "the whole nature"—an account which used the number 3 as the key to all things—enabled or compelled Hippodamus to go on toward his plan of the best political order as that political order which is entirely according to nature. But he merely arrived at great confusion because he did not pay attention to the peculiar character of political things: he did not see that the political things are in a class by themselves. In spite or because of his ambition, Hippodamus did not succeed in founding political philosophy or political science because he did not begin by raising the question "what is political?" or rather "what is the *polis*?" This question, and all questions of this kind, were raised by Socrates who for this reason became the founder of political philosophy.

The "what is" questions point to "essences," to "essential" differences—to the fact that the whole consists of parts which are heterogeneous, not merely sensibly (like fire, air, water, and earth) but noetically: to understand the whole means to understand the "What" of each of these parts, of these classes of beings, and how they are linked with one another. Such understanding cannot be the reduction of one heterogeneous class to others or to any cause or causes other than the class itself; the class, or the class character, is the cause *par excellence*. Socrates conceived of his turn to the "what is" questions as a turn, or a return, to sanity, to "common sense": while the roots of the whole are hidden, the whole manifestly consists of heterogeneous parts. One may say that according to Socrates the things which are "first in themselves" are somehow "first for us"; the things which are "first in themselves" are in a manner, but necessarily, revealed in men's opinions. Those opinions have as opinions a certain order. The highest opinions, the authoritative opinions, are

¹⁴ *Politics* 1267b30–1268a6; 1268b3–4, 11; *Eth. Nic.* 1094b11–27.

the pronouncements of the law. The law makes manifest the just and noble things and it speaks authoritatively about the highest beings, the gods who dwell in heaven. The law is the law of the city; the city looks up to, holds in reverence, "holds" the gods of the city. The gods do not approve of man's trying to seek out what they did not wish to reveal, the things in heaven and beneath the earth. A pious man will therefore not investigate the divine things but only the human things, the things left to man's investigation. It is the greatest proof of Socrates' piety that he limited himself to the study of the human things. His wisdom is knowledge of ignorance because it is pious and it is pious because it is knowledge of ignorance.¹⁵ Yet the opinions however authoritative contradict one another. Even if it should happen that a given city orders a matter of importance without contradicting itself, one can be certain that the verdict of that city will be contradicted by the verdicts of other cities.¹⁶ It becomes then necessary to transcend the authoritative opinions as such in the direction of what is no longer opinion but knowledge. Even Socrates is compelled to go the way from law to nature, to ascend from law to nature. But he must go that way with a new awakesness, caution, and emphasis. He must show the necessity of the ascent by a lucid, comprehensive, and sound argument which starts from the "common sense" embodied in the accepted opinions and transcends them; his "method" is "dialectics." This obviously implies that, however much the considerations referred to may have modified Socrates' position, he still remains chiefly, if not exclusively, concerned with the human things: with what is by nature right and noble or with the nature of justice and nobility.¹⁷ In its original form political philosophy broadly understood is the core of philosophy or rather "the first philosophy." It also remains true that human wisdom is knowledge of ignorance: there is no knowledge of the whole but only knowledge of parts, hence only partial knowledge of parts, hence no unqualified transcending, even by the wisest man as such, of the sphere of opinion. This Socratic or Platonic conclusion differs radically from a typically modern conclusion according to which the unavailability of knowledge of the

¹⁵ Xenophon, *Mem.* I 1.11-16; IV 3.16, 6.1-4 and 7.6. Plato, *Apol. Soc.* 19b4-c8, 20d7-e3, 23a5-b4; *Phaedo* 99d4ff.; *Phaedrus* 249e4-5.

¹⁶ Consider Plato, *Laches* 190e4-191c6.

¹⁷ *Republic* 501b2; cf. *ibid.* 597b-e and *Phaedrus* 254b5-6.

whole demands that the question regarding the whole be abandoned and replaced by questions of another kind, for instance by the questions characteristic of modern natural and social science. The elusiveness of the whole necessarily affects the knowledge of every part. Because of the elusiveness of the whole, the beginning or the questions retain a greater evidence than the end or the answers; return to the beginning remains a constant necessity. The fact that each part of the whole, and hence in particular the political sphere, is in a sense open to the whole, obstructs the establishment of political philosophy or political science as an independent discipline. Not Socrates or Plato but Aristotle is truly the founder of political science: as one discipline, and by no means the most fundamental or the highest discipline, among a number of disciplines. This difference between Plato and Aristotle can be illustrated by the contrast between the relation of the *Republic* to the *Timaeus* on the one hand, and of the *Politics* to the *Physics* or *On the Heaven* on the other. Aristotle's cosmology, as distinguished from Plato's, is unqualifiedly separable from the quest for the best political order. Aristotelian philosophizing has no longer to the same degree and in the same way as Socratic philosophizing the character of ascent. Whereas the Platonic teaching presents itself necessarily in dialogues, the Aristotelian teaching presents itself necessarily in treatises. As regards the political things, Aristotle acts directly as the teacher of indefinitely many legislators or statesmen whom he addresses collectively and simultaneously, whereas Plato presents his political philosopher as guiding, in a conversation, one or two men who seek the best political order or are about to legislate for a definite community. Nevertheless it is no accident that the most fundamental discussion of the *Politics* includes what is almost a dialogue between the oligarch and the democrat.¹⁸ It is equally characteristic however that that dialogue does not occur at the beginning of the *Politics*.

Aristotle is especially concerned with the proposal of Hippodamus that those who invent something useful to the city should receive honors; his examination of this proposal takes up about a half of his examination of Hippodamus' whole scheme. He is much less sure than Hippodamus of the virtues of innovation. It seems that Hippodamus had not given thought to the difference between

¹⁸ See especially 1281a16 and b18.

innovation in the arts and innovation in law, or to the possible tension between the need for political stability and what one might call technological change. On the basis of some observations made nearer home, one might suspect a connection between Hippodamus' unbridled concern with clarity and simplicity and his unbridled concern with technological progress. His scheme as a whole seems to lead, not only to confusion, but to permanent confusion or revolution. At any rate Aristotle cannot elucidate innovation without bringing out a most important difference between the arts and law. The arts are susceptible of infinite refinement and hence progress and they do not as such in any way suffer from progress. The case of law is different, for law owes its strength, *i.e.* its power of being obeyed, as Aristotle says here, entirely to custom and custom comes into being only through a long time. Law, in contradistinction to the arts, does not owe its efficacy to reason at all or only to a small degree.¹⁹ However evidently reasonable a law may be, its reasonableness becomes obscured through the passions which it restrains. Those passions support maxims or opinions incompatible with the law. Those passion-bred opinions in their turn must be counteracted by passion-bred and passion-breeding opposite opinions which are not necessarily identical with the reasons of the law. The law, the most important instrument for the moral education of "the many," must then be supported by ancestral opinions, by myths—for instance, by myths which speak of the gods as if they were human beings—or by a "civil theology." The gods as meant in these myths have no being in and by themselves but only "by law." Yet given the necessity of law one may say that the principle of the whole both wishes and does not wish to be called Zeus.²⁰ Because the city as a whole is characterized by a specific recalcitrance to reason, it requires for its well-being a rhetoric different from forensic and deliberative rhetoric as a servant to the political art.

"The very nature of public affairs often defeats reason." One illustration taken from Aristotle's *Politics* must suffice. In the first book, Aristotle sets forth the dictate of reason regarding slavery: it is just to enslave men who are by nature slaves; men who are slaves

¹⁹ *Politics* 1268b22–1269a24, 1257b25–27. Cf. Isocrates, *Antidosis* 82 and Thomas Aquinas, *S. th.* 1 2 q. 97. a. 2. ad 1.

²⁰ Aristotle, *Metaphysics* 1074b1–14 (cf. Thomas Aquinas *ad loc.*). Cf. Heraclitus (Diels, *Vorsokratiker*, 7th ed.) fr. 32.

not by nature but only by law and compulsion are unjustly enslaved; a man is a slave by nature if he is too stupid to guide himself or can do only a kind of work little superior to the work done by beasts of burden; such a man is better off as a slave than free. But when discussing the best polity, Aristotle takes it for granted that the slave population of that polity consists of men each of whom can safely be rewarded with freedom for his service, *i.e.* is not a natural slave. After all, a man may have by nature a slavish character, a lack of pride or manliness which disposes him to obey a stronger man, while being intelligent and thus much more useful to his master than a fellow who is as strong and as stupid as an ox.²¹ Plato who also allows, to Aristotle's displeasure, that the defenders of the city be savage toward strangers, expresses the same thought more directly by admitting, with Pindar, that superiority in strength is a natural title to rule. From this we understand why the nature of political things defeats to some extent not only reason but persuasion in any form and one grasps another reason why the sophistic reduction of the political art to rhetoric is absurd. Xenophon's companion Proxenus had been a pupil of Gorgias, the famous rhetorician. Thanks to Gorgias' instruction he was capable of ruling gentlemen by means of praise or abstention from praise. Yet he was utterly incapable of instilling his soldiers with respect and fear of himself; he was unable to discipline them. Xenophon on the other hand, the pupil of Socrates, possessed the full political art. The very same thought—the insufficiency of persuasion for the guidance of “the many” and the necessity of laws with teeth in them—constitutes the transition from Aristotle's *Ethics* to his *Politics*. It is within this context that he denounces the sophists' reduction of politics to rhetoric.²² So far from being “Machiavellians,” the sophists—believing in the omnipotence of speech—were blind to the sternness of politics.

Hitherto we have spoken of the apparent superiority of the arts to laws. But precisely Aristotle's critique of Hippodamus implies that the arts must be regulated by law and hence are subordinate to law. Law owes this dignity to the facts that it is meant to be a

²¹ Aristotle, *Politics* 1254b22–1255a3, 1255b4–15, 1285a19–22, 1327b27–29, 1330a25–33. Cicero, *Republic* II 57.

²² *Eth. Nic.* 1179b4ff.; Plato, *Laws* 690b; Xenophon, *Anabasis* II 16–20; Cicero, *Republic* I 2–3.

dictate of reason and that the reason effective in the arts is lower than the reason effective in law as law should be.²³ Laws are the work of the legislative art, but the legislative art is the highest form of practical wisdom or prudence, the prudence concerned with the common good of a political society, as distinguished from prudence in the primary sense which is concerned with a man's own good. The difference between arts and law is then founded on the difference between arts and prudence. Prudence is of higher dignity than the arts because every art is concerned with a partial good whereas prudence is concerned with the whole human good, the good life. Prudence alone enables one to distinguish between genuine arts (like medicine) and sham arts (like cosmetics) and to decide which use of an art (for instance, of strategy) is good. The arts point to Right or Law which makes them arts by being their limit and norm.²⁴ The artisan as artisan is concerned with producing the work peculiar to his art (the cobbler with making shoes, the physician with restoring health) but not with his own good; he is concerned with his own good in so far as he is concerned with receiving pay for his work or with practicing the art which accompanies all arts, the art of money-making; thus the art of money-making could appear to be the universal art, the art of arts; the art of money-making knows no limits: it enables a man to make greater and ever greater gains; yet the view that money-making is an art presupposes that unlimited acquisitiveness is good for a man and this presupposition can well be questioned; it appears that acquisition is for the sake of use, of the good use of wealth, *i.e.* of an activity regulated by prudence.²⁵ The distinction between prudence and the arts implies that there is no art that tells me which partial good supplied by an art I ought to choose here and now in preference to other goods. There is no expert who can decide the prudent man's vital questions for him as well as he can. To be prudent means to lead a good life, and to lead a good life means that one deserves to be one's own master or that one makes one's own decisions well. Prudence is that kind of knowledge which is inseparable from "moral virtue," *i.e.* goodness of character or of the habit of choosing, just as moral virtue is inseparable from prudence. The arts as arts do not have this close

²³ *Eth. Nic.* 1094a27-b6, 1180a18-22; cf. 1134a34 with *Politics* 1287a28-30.

²⁴ *Eth. Nic.* 1094b7-10, 1140a26-30, 1141b23-29, 1181a23; cf. Sophocles, *Antigone* 332-372.

²⁵ *Politics* 1257b4ff.; Plato, *Republic* 341c4-7 and 346.

connection with moral virtue. Aristotle goes so far as to suggest that the virtue required of artisans as artisans is less than that required of slaves.²⁶ Prudence and moral virtue united and as it were fused enable a man to lead a good life or the noble life which seems to be the natural end of man. The best life is the life devoted to understanding or contemplation as distinguished from the practical or political life. Therefore practical wisdom is lower in rank than theoretical wisdom which is concerned with the divine things or the *kosmos*, and subservient to it—but in such a way that within its sphere, the sphere of all human things as such, prudence is supreme.²⁷ The sphere ruled by prudence is closed since the principles of prudence—the ends in the light of which prudence guides man—are known independently of theoretical science. Because Aristotle held that art is inferior to law or to prudence, that prudence is inferior to theoretical wisdom, and that theoretical wisdom (knowledge of the whole, *i.e.* of that by virtue of which “all things” are a whole) is available, he could found political science as an independent discipline among a number of disciplines in such a way that political science preserves the perspective of the citizen or statesman or that it is the fully conscious form of the “common sense” understanding of political things.

The Athenian stranger may be said to assert that the men who preceded him conceived of nature as superior to art and of art as superior to law. Aristotle conceives of nature as superior to law—for the good law is the law which is according to nature—and of law as superior to the arts. Aristotle's view must also be distinguished from another extreme view by virtue of which nature and law become fused and oppose themselves to the arts which thus appear to defile a sacred order.

According to Aristotle it is moral virtue that supplies the sound principles of action, the just and noble ends, as actually desired; these ends come to sight only to the morally good man; prudence seeks the means to these ends. The morally good man is the properly bred man, the well-bred man. Aristotle's political science is addressed only to such men.²⁸ The sphere of prudence is then closed by principles which are fully evident only to gentlemen. In seeking

²⁶ *Politics* 1260a33–41.

²⁷ *Eth. Nic.* 1141a28–b9, 1145a6–11.

²⁸ *Eth. Nic.* 1095a30–b8, 1103a24–26, 1144a7–9, 1144a20–1145a6, 1178a16–19.

for higher principles, one would raise the question "why should one be decent?" but in doing so one would already have ceased to be a gentleman, for decency is meant to be choiceworthy for its own sake. The gentleman is recognized as gentleman not only by other gentlemen but also by people of deficient breeding. Yet among the latter there may be men of great power of persuasion who question the goodness of moral virtue. It is therefore not sufficient to know what justice, magnanimity and the other virtues are and to be moved by their beauty; one must show that they are good.²⁹ One must then transcend the sphere of prudence or of what one may call the moral consciousness. One must show that the practice of the moral virtues is the end of man by nature, *i.e.* that man is inclined toward such practice by nature. This does not require that man by nature know his natural end without any effort on his part. The natural end of man as well as of any other natural being becomes genuinely known through theoretical science, through the science of the natures.³⁰ More precisely, knowledge of the virtues derives from knowledge of the human soul: each part of the soul has its specific perfection. Plato sketches such a purely theoretical account of the virtues in the *Republic*. But it is characteristic of Aristotle that he does not even attempt to give such an account. He describes all the moral virtues as they are known to morally virtuous man without trying to deduce them from a higher principle; generally speaking, he leaves it at the fact that a given habit is regarded as praiseworthy without investigating why this is so. One may say that he remains within the limits of an unwritten *nomos* which is recognized by well-bred people everywhere. This *nomos* may be in agreement with reason but is not as such dictated by reason. It constitutes the sphere of human or political things by being its limit or its ceiling. By proceeding differently, Aristotle would make political or practical science dependent on theoretical science.

In order to grasp the ground of Aristotle's procedure, one must start from the facts that according to him the highest end of man by nature is theoretical understanding or philosophy and this per-

²⁹ Cf. Plato, *Republic* I end and Aristotle, *Eth. Nic.* 1101b25-27 (cf. 1132b31-1133a2).

³⁰ Aristotle, *On the Soul* 434a16-21 (cf. 432b27-30). Cf. Averroës, *Commentary on Plato's Republic* (ed. E.I.J. Rosenthal) I 23.5 and II 8.1; Thomas Aquinas, *Commentary on the Nicomachean Ethics* VI lectio 2. (nr. 1131), S. th. 2 2 q. 47. a. 6. ad 3.

fection does not require moral virtue as moral virtue, *i.e.* just and noble deeds as choiceworthy for their own sake.³¹ It goes without saying that man's highest end cannot be achieved without actions resembling moral actions proper, but the actions in question are intended by the philosopher as mere means toward his end. That end also calls for prudence, for the philosopher must deliberate about how he can secure the conditions for his philosophizing here and now. The moral virtues are more directly related to man's second natural end, his social life; one could therefore think that the moral virtues are intelligible as being essentially in the service of the city. For instance, magnanimity is praiseworthy because the city needs men who are born to command and who know that they are born to command. But it suffices to read Aristotle's description of magnanimity in order to see that the full phenomenon of magnanimity cannot be understood in that way. The moral virtues cannot be understood as being for the sake of the city since the city must be understood as being for the sake of the practice of moral virtue.³² Moral virtue is then not intelligible as a means for the only two natural ends which could be thought to be its end. Therefore, it seems, it must be regarded as an "absolute." Yet one cannot disregard its relations to those two natural ends. Moral virtue shows that the city points beyond itself but it does not reveal clearly that toward which it points, namely, the life devoted to philosophy. The man of moral virtue, the gentleman, may very well know that his political activity is in the service of noble leisure but his leisable activity hardly goes beyond the enjoyment of poetry and the other imitative arts.³³ Aristotle is the founder of political science because he is the discoverer of moral virtue. For Plato, what Aristotle calls moral virtue is a kind of halfway house between political or vulgar virtue which is in the service of bodily well-being (of self-preservation or peace) and genuine virtue which, to say the least, animates only the philosophers as philosophers.³⁴ As for the Stoics, who went so far as to assert that only the noble is good, they identified the man of nobility with the wise man who as such possesses the

³¹ *Eth. Nic.* 1177b1-8, 1178a28ff.; cf. *E.E.* 1248b9ff. Cf. Averroës, *loc. cit.* III 12 and 16.10; Thomas, *S. th.* 1 2 q. 58. a. 4.-5. and 2 2 q. 45. a. 4.

³² *Eth. Nic.* 1095b30-31, 1099b29-32, 1178b5; *Politics* 1278b21-24. Cf. Averroës, *loc. cit.* I 4.7.

³³ *Politics* 1337b33-1338b4.

³⁴ *Phaedo* 68b2-69c3, 82a11ff., *Republic* 518d9-e3.

"virtues" called logic and physics.³⁵ We must beware of mistaking Aristotle's man of moral virtue or "good man" who is the perfect gentleman for the "good man" who is just and temperate but lacks all other virtues, like the members of the lowest class in Plato's *Republic*.³⁶ The latter notion of "goodness" prepared Machiavelli's and Rousseau's distinction, or opposition, between "goodness" and "virtue."

When the philosopher Aristotle addresses his political science to more or less perfect gentlemen, he shows them as far as possible that the way of life of the perfect gentleman points toward the philosophic way of life; he removes a screen. He articulates for his addressees the unwritten *nomos* which was the limit of their vision while he himself stands above that limit. He is thus compelled or enabled to correct their opinions about things which fall within their purview. He must speak of virtues and vices which were "nameless" and hence hitherto unknown. He must deny explicitly or tacitly that habits as highly praised as sense of shame and piety are virtues. The gentleman is by nature able to be affected by philosophy; Aristotle's political science is an attempt to actualize this potentiality. The gentleman affected by philosophy is in the highest case the enlightened statesman, like Pericles who was affected by Anaxagoras.³⁷ The moral-political sphere is then not unqualifiedly closed to theoretical science. One reason why it seemed necessary to make a radical distinction between practical wisdom on the one hand and the sciences and the arts on the other was the fact that every art is concerned with a partial good, whereas prudence is concerned with the whole human good. Yet the highest form of prudence is the legislative art which is the architectonic art, the art of arts, because it deals with the whole human good in the most comprehensive manner. It is concerned with the whole human good by being concerned with the highest human good with reference to which all partial human goods are good. It deals with its subject in the most comprehensive manner because it establishes the framework within which political prudence proper, the right handling of situations, can take place. Moreover, "legislative art" is an ambiguous term; it may mean the art practiced "here and now" by a legis-

³⁵ Cicero, *De finibus* III 11, 17-18, 72-73. Consider, however, *ibid.* V 36.

³⁶ Cf. *Phaedo* 82a11-b2 with Cicero, *Offices* II 35.

³⁷ *Phaedrus* 269d-270a.

lator acting on behalf of this or that political community; but it may also mean the "practical science" of legislation taught by the teacher of legislators which is superior in dignity to the former since it supplies guidance for it. As a practical science it differs from prudence in all its forms because it is free from that involvement the dangers of which cannot be averted except by moral virtue.³⁸ Hence prudence appears to be ultimately subject to a science. Considerations like these induced Socrates and Plato to assert that virtue is knowledge and that quest for prudence is philosophy. Just as the partial human goods cannot be known to be goods except with reference to the highest or the whole human good, the whole human good cannot be known to be good except with reference to the good simply, the idea of the good, which comes to sight only beyond and above all other ideas: the idea of the good, and not the human good or in particular gentlemanship, is the principle of prudence. But since love of wisdom is not wisdom and philosophy as prudence is the never-to-be-completed concern with one's own good, it seems impossible to know that the philosophic life is the best life. Socrates could not know this if he did not know that the only serious alternative to the philosophic life is the political life and that the political life is subordinate to the philosophic life: political life is life in the cave which is partly closed off by a wall from life in the light of the sun; the city is the only whole within the whole or the only part of the whole whose essence can be wholly known. In spite of their disagreement Plato and Aristotle agree as to this, that the city is both closed to the whole and open to the whole, and they are agreed as to the character of the wall separating the city from the rest of the whole. Given the fact that the only political work proper of Plato is the *Laws* in which Socrates does not occur, one is tempted to draw this conclusion: the only reason why not Socrates but Aristotle became the founder of political science is that Socrates who spent his life in the unending ascent to the idea of the good and in awakening others to that ascent, lacked for this reason the leisure not only for political activity but even for founding political science.—

³⁸ *Eth. Nic.* 1094a15–b10, 1099b31, 1104a3–10, 1141b24–27, 1152b1–3, 1181a23; *Politics* 1287a32–b3, 1288b10ff., 1325b40ff. Cf. Thomas Aquinas, *S. th.* 1 q. 1. a. 6. ad 3. and q. 14. a. 16. c. as well as *Commentary on Ethics* VI lectio 7. (nr. 1200–1201).

THE CITY AND MAN

temporary controversy

Our provisional contention according to which Aristotle's political science is the fully conscious form of the common sense understanding of political things is open to the objection that the matrix of that science is not common sense simply but the common sense of the Greeks, not to say the common sense of the Greek upper class. This is said to show itself immediately in the theme of Aristotle's *Politics*, the Greek city-state. It is true that city-states were much more common among the Greeks than among the non-Greeks,³⁹ but the fact that Aristotle respects the Carthaginian city-state hardly less than the Spartan and much more than the Athenian suffices to dispose of the assertion that the city-state is essentially Greek. A more serious difficulty appears when we turn our attention to the expression "city-state." The city-state is meant to be a particular form of the state, and this thought cannot even be stated in Aristotle's language. Furthermore, when we speak today of "state," we understand "state" in contradistinction to "society," yet "city" comprises "state" and "society." More precisely, "city" antedates the distinction between state and society and cannot therefore be put together out of "state" and "society." The nearest English equivalent to "the city" is "the country": one can say "my country right or wrong," but one cannot say "my society right or wrong" or "my state right or wrong." "City" can be used synonymously with "fatherland."⁴⁰ Yet the difference between "city" and "country" must not be neglected. "City" is not the same as "town," for "city" comprises both "town" and "country," yet the city as Aristotle understands it is essentially an urban society⁴¹: the core of the city is not the tillers of the soil. The alternative to "city" is not another form of "state" but the "tribe" or "nation" as a lower, not to say barbarian, kind of society which in contradistinction to the city is unable to combine civilization with freedom.⁴²

While for the citizen the modern equivalent of the city is the country, for the theoretical man that equivalent is the unity of state and society which transforms itself into "society" simply as well as into "civilization" or "culture." Through our understanding of "the

³⁹ Cf. Aristophanes, *Peace* 59 and 63.

⁴⁰ Cf. Xenophon, *Hiero* 4.3-5; Plato, *Crito* 51c1, *Laws* 856d5. Consider, above all, Aristotle's treatment of "the fatherland."

⁴¹ *Politics* 1276a26-30; 1319a9-10, 29-38; 1321b19, 28. Cf. Plato, *Laws* 758d-e.

⁴² *Politics* 1284a38-b3, b38-39; 1326b3-5.

country" we would have a direct access to "the city," but that access is blocked by the modern equivalents of the "city" which originate in theory. It is therefore necessary to understand the ground of the difference between "city" on the one hand and these modern equivalents on the other.

The city is a society which embraces various kinds of smaller and subordinate societies; among these the family or the household is the most important. The city is the most comprehensive and the highest society since it aims at the highest and most comprehensive good at which any society can aim. This highest good is happiness. The highest good of the city is the same as the highest good of the individual. The core of happiness is the practice of virtue and primarily of moral virtue. Since the theoretical life proves to be the most choiceworthy for the individual, it follows that at least some analogue of it is the aim also of the city. However this may be, the chief purpose of the city is the noble life and therefore the chief concern of the city must be the virtue of its members and hence liberal education.⁴³ There is a great variety of opinions as to what constitutes happiness but Aristotle is satisfied that there is no serious disagreement on this subject among sufficiently thoughtful people. In modern times it came to be believed that it is wiser to assume that happiness does not have a definite meaning since different men, and even the same man at different times, have entirely different views as to what constitutes happiness. Hence happiness or the highest good could no longer be the common good at which political society aims. Yet however different the notions of happiness may be, the fundamental conditions of happiness, it was believed, are in all cases the same: one cannot be happy without being alive, without being a free man, and without being able to pursue happiness however one understands happiness. Thus it became the purpose of political society to guarantee those conditions of happiness which came to be understood as the natural rights of each, and to refrain from imposing on its members happiness of any sort, for no notion of happiness can be intrinsically superior to any other notion. One may indeed call the security of all members of society in life, liberty, and the pursuit of happiness, public or political happiness, but one thus merely confirms the fact that true happiness is private. Some

⁴³ *Eth. Nic.* 1094a18-28, 1095a14-20, 1098a15-17; *Politics* 1252a1-7, 1278b21-24, 1324a5-8, 1325b14-32.

kind of virtue is indispensable even for political society thus understood—as a means for peaceably living together and ultimately for each man's happiness whatever that happiness may be. Hence the purpose of the individual and the purpose of political society are essentially different. Each individual strives for happiness as he understands happiness. This striving, which is partly competitive with and partly cooperative with the strivings of everyone else, produces or constitutes a kind of web; that web is "society" as distinguished from the "state" which merely secures the conditions for the striving of the individuals. It follows that in one respect the state is superior to society, for the state is based on what all must equally desire because they all equally need it, on the conditions of happiness, and that in another respect society is superior to the state, for society is the outcome of each individual's concern with his end, whereas the state is concerned only with certain means. In other words, the public and the common is in the service of the merely private whatever that private may be, or the highest or ultimate purpose of the individual is merely private. This difficulty cannot be overcome except by transcending the plane on which both society and the state exist.

Aristotle knew and rejected a view of the city which seems to foreshadow the modern view of political society and hence the distinction between state and society. According to that view, the purpose of the city is to enable its members to exchange goods and services by protecting them against violence among themselves and from foreigners, without its being concerned at all with the moral character of its members.⁴⁴ Aristotle does not state the reasons which were adduced for justifying this limitation of the purpose of the city unless his reference in this context to a sophist is taken to be a sufficient indication. The view reported by Aristotle reminds us of the description given in Plato's *Republic* of the "city of pigs"⁴⁵—of a society which is sufficient for satisfying the natural wants of the body, *i.e.* of the naturally private. We shall say that society as distinguished from the state first comes to sight as the market in which competitors buy and sell and which requires the state as its protector or rather servant. On this basis the "political" comes to be

⁴⁴ *Politics* 1280a25–b35. Cf. the kindred criticism of this kind of society by Augustine in *De Civitate Dei* II 20.

⁴⁵ *Republic* 372d4 and e6–7.

understood eventually as derivative from the "economic." The actions of the market are as such voluntary whereas the state coerces. Yet voluntariness is not a preserve of the market; it is above all of the essence of genuine, as distinguished from merely utilitarian, virtue. From this it was inferred in modern times that since virtue cannot be brought about by coercion, the promotion of virtue cannot be the purpose of the state; not because virtue is unimportant but because it is lofty and sublime, the state must be indifferent to virtue and vice as such, as distinguished from transgressions of the state's laws which have no other function than the protection of the life, liberty, and property of each citizen. We note in passing that this reasoning does not pay sufficient attention to the importance of habituation or education for the acquisition of virtue. This reasoning leads to the consequence that virtue, and religion, must become private, or else that society, as distinguished from the state, is the sphere less of the private than of the voluntary. Society embraces then not only the sub-political but the supra-political (morality, art, science) as well. Society thus understood is no longer properly called society, nor even civilization, but culture. On this basis the political must be understood as derivative from the cultural: culture is the matrix of the state. "Culture" as susceptible of being used in the plural is the highest modern equivalent of "city." In its original form "culture" in the sense indicated was thought to have its originating core in religion: "it is in religion that a nation [Volk] gives itself the definition of what it regards as the truth."⁴⁶ According to Aristotle too, the concern with the divine occupies somehow the first place among the concerns of the city but this is not true according to him in the last analysis. His reason is that that concern with the divine which occupies the place of honor among the concerns of the city is the activity of the priesthood,

⁴⁶ Hegel, *Die Vernunft in der Geschichte* (ed. Hoffmeister) 125. In his "Wissenschaftliche Behandlungsarten des Naturrechts" (*Schriften zur Politik und Rechtsphilosophie* [ed. Lasson] 383 and 393) Hegel renders Plato's and Aristotle's *polis* by "Volk." Hegel does not speak of cultures but of *Volksgeister* and *Weltanschauungen*. Cf. Burke, *Reflections on the Revolution in France* (Works [Bohn Standard Library] II 351 and 362) and *Letters on a Regicide Peace* I (ed. cit. V 214-215). The kinship between trade, "society," and "culture" as the spontaneous or non-coercive (in contradistinction to the state as well as to religion) appears in Jakob Burckhardt's *Weltgeschichtliche Betrachtungen* (Gesamtausgabe, VII [Basel, 1929] 20, 42-43 and 47-48).

whereas the true concern with the divine is the knowledge of the divine, *i.e.* transpolitical wisdom which is devoted to the cosmic gods as distinguished from the Olympian gods. In the words of Thomas Aquinas, reason informed by faith, not natural reason simply, to say nothing of corrupted reason, teaches that God is to be loved and worshipped.⁴⁷ Natural reason cannot decide which of the various forms of divine worship is the true one, although it is able to show the falsity of those which are plainly immoral; each of the various forms of divine worship appears to natural reason to owe its validity to political establishment and therefore to be subject to the city. Aristotle's view is less opposed to the Biblical view than it might seem: he too is concerned above all with the truth of religion. But to return to the relation between "city" and "culture," "culture" as commonly used now differs from the original notion decisively because it no longer implies the recognition of an order of rank among the various elements of culture. From this point of view Aristotle's assertion that the political element is the highest or most authoritative element in human society must appear to be arbitrary or at best the expression of one culture among many.

The view according to which all elements of culture are of equal rank, is meant to be adequate for the description or analysis of all human societies present or past. Yet it appears to be the product of one particular culture, modern Western culture, and it is not certain that its use for the understanding of other cultures does not do violence to them: these cultures must be understood as they are in themselves. It would seem that each culture must be understood in the light of what it looks up to; that to which it looks up may appear to it to become reflected in a particular kind of human being, and that kind of human being may rule the society in question in broad daylight; it is this special case of rule which Aristotle regarded as the normal case. But is it merely a special case? The view according to which all elements of a culture are of equal rank, which we may call the egalitarian view of culture, reflects an egalitarian society—a society which derives its character from its looking up to equality (and ultimately to a universe not consisting of essentially different parts) and which therefore looks up to such uncom-

⁴⁷ *Politics* 1328b11–13 and 1322b12–37. Thomas, *S. th.* 1 2 q. 104. a. 1. ad 3.; cf. 2 2 q. 85. a. 1. ad 1.

mon men as devote themselves to the service of the common man. The present interest in the variety of cultures was foreshadowed by the interest of certain Greek travellers in the variety of nations. Herodotus may be said to have studied the various nations with a view to the nature of the land and of its inhabitants, their arts or crafts, their laws written or unwritten, and their stories or accounts; in this scheme the political element was not manifestly the highest or the most authoritative. In contradistinction to this descriptive approach, Aristotle's approach is practical; he sees the various societies as they appear when one is guided by the question of the good society or of the good life; those societies themselves come to sight then as attempting to answer that question, given the conditions imposed on them; in this perspective the nature of the land and of its inhabitants, to some extent even the arts and the accounts, appear as conditions and the political order alone as the intended.—

We must now say a few words about Aristotle's alleged anti-democratic prejudice. The democracy with which he takes issue is the democracy of the city, not modern democracy or the kind of democracy which presupposes the distinction between state and society. The democracy of the city is characterized by the presence of slavery: citizenship was a privilege not a right. That democracy did not allow the claim to freedom of man as man but of freeman as freeman and in the last analysis of men who are by nature freemen, not to say of people descended on both sides from citizens. The freeman is distinguished from the slave by the fact that he lives as he likes; the claim to live as he likes is raised for every freeman equally. He refuses to take orders from anyone or to be subject to anyone. But since government is necessary, the freeman demands that he not be subject to anyone who is not in turn subject to him: everyone must have as much access to magistracies as everyone else, merely because he is a freeman. The only way in which this can be guaranteed is election by lot, as distinguished from voting for candidates where considerations other than whether the candidate is a free man—especially merit—inevitably enter; voting for candidates is aristocratic rather than democratic. Hence modern democracy would have to be described with a view to its intention from Aristotle's point of view as a mixture of democracy and aristocracy. Since freedom as claimed by the democracy of the city means to live as one likes, that democracy permits only the

minimum of restraint on its members; it is "permissive" to the extreme.⁴⁸ One may find it strange that Aristotle does not allow for the possibility of an austere, stern, "Puritan" democracy; but this kind of regime would be theocratic rather than democratic. We must note, however, that Aristotle does not suggest a connection between the democracy of the city and the city which limits itself to enabling its members to exchange goods and services by protecting them against violence without its being concerned with the moral character of its members. Democracy as he understands it is no less passionately and comprehensively political than any other regime.

It could seem that democracy is not merely one form of the city among many but its normal form, or that the city tends to be democratic. The city is, or tends to be, a society of free and equal men. As city it is the people or belongs to the people and this would seem to require that it be ruled by the people. It is no accident that Aristotle introduces the fundamental reflections of the third book of the *Politics* by an argument of democratic origin and that the first definition of the citizen which suggests itself to him is that of the citizen in a democracy. [In contradistinction to oligarchy and aristocracy, democracy is the rule of all and not the rule of a part; oligarchy and aristocracy exclude the common people from participation in government whereas democracy does not exclude the wealthy and the gentlemen.⁴⁹ Nevertheless, according to Aristotle, the apparent rule of all in democracy is in fact the rule of a part. Among equals, the fair, nay, the only possible way compatible with deliberation, of deciding issues where unanimity is lacking is to abide by the will of the majority, but it so happens that the majority of freemen in practically every city is the poor; hence democracy is the rule of the poor.⁵⁰ Democracy presents itself as the rule of all or it bases its claim on freedom and not on poverty, because titles to rule are more credible if based on an excellence rather than on a defect or a need. But if democracy is rule of the poor, of those who lack leisure, it is the rule of the uneducated and therefore undesirable. [Since it is not safe to exclude the *demos* where it

⁴⁸ *Politics* 1273b40-41, 1275b22-25, 1317a40-b21, 1323a3-6. Cf. Plato, *Republic* 557a9ff. and 562b9-c2, *Statesman* 303a4-7.

⁴⁹ *Politics* 1255b20, 1259b4-6, 1274b32-36, 1275b5-7, 1280a5, 1281b34-38, 1282a16-17, 1295b25-26. Cf. Cicero, *Republic* I 39-43. Consider Plato, *Republic* 557d4-9.

⁵⁰ *Politics* 1294a9-14, 1317b5-10.

exists from participation in rule, Aristotle devised as his best polity a city without a *demos*, a city consisting only of gentlemen on the one hand and metics and slaves on the other.⁵¹ This perfect solution is however possible only under the most favorable conditions. Aristotle considered therefore a variety of less extreme solutions—of regimes in which the common people participate without being predominant. He comes closest to accepting democracy—at least in the case when the common people is not too depraved—in the fundamental reflections of the third book. After having laid the broadest possible foundations, he states first the case for democracy and then for the absolute rule of one outstanding man.⁵² He acts as if he agreed with the suggestion made in Plato's *Laws* according to which there are two "mothers" of all other regimes, namely, democracy and monarchy.⁵³ The argument in favor of a certain kind of democracy appears to be conclusive on the political level. Why then is Aristotle not wholly satisfied with it? What induces him to turn from democracy to a certain kind of absolute monarchy? Who is that Zeus-like man who has the highest natural title to rule, a much higher title than any multitude? He is the man of the highest self-sufficiency who therefore cannot be a part of the city: is he not, if not the philosopher, at least the highest political reflection of the philosopher? He is not likely to be the philosopher himself, for kingship in the highest sense belongs to the dawn of the city, whereas philosophy belongs to a later stage and the completion of philosophy—Aristotle's own philosophy—belongs rather to its dusk: the peak of the city and the peak of philosophy belong to entirely different times.⁵⁴ However this may be, we suggest that the ultimate reason why Aristotle has reservations against even the best kind of democracy is his certainty that the *demos* is by nature opposed to philosophy.⁵⁵ Only the gentlemen can be open to philosophy, *i.e.* listen to the philosopher. Modern democracy on the other hand presupposes a fundamental harmony between philosophy and the people, a harmony brought about by universal enlightenment, or by

⁵¹ *Politics* 1274a17–18, 1281b28–30, 1328b24–1329a2, 1329a19–26.

✓ ⁵² Compare the argument in favor of democracy from 1281a39 to 1283b35 with 1282b36; 1283b16–23; 1284a3–8, b13, 28–33. Cf. 1282a15–16.

⁵³ *Laws* 693d2–e8.

⁵⁴ *Politics* 1253a27–29, 1267a10–12, 1284b25–34, 1286b20–22, 1288a26–28, 1313a4–5; *Eth Nic.* 1160b3–6, 1177a27–b1.

⁵⁵ Cf. *Gorgias* 481d3–5 and *Republic* 494a4–7.

philosophy (science) relieving man's estate through inventions and discoveries recognizable as salutary by all, or by both means. On the basis of the break with Aristotle, one could come to believe in the possibility of the simply rational society, *i.e.* of a society each member of which would be of necessity perfectly rational so that all would be united by fraternal friendship, and government of men, as distinguished from administration of things, would wither away. It also became possible to integrate philosophy into the city or rather into its modern equivalent, "culture," and thus to achieve the replacement of the distinction between nature and convention by the distinction between nature and history.

For Aristotle political inequality is ultimately justified by the natural inequality among men. The fact that some men are by nature rulers and others by nature ruled points in its turn to the inequality which pervades nature as a whole: the whole as an ordered whole consists of beings of different rank. In man the soul is by nature the ruler of the body and the mind is the ruling part of the soul. It is on the basis of this that thoughtful men are said to be the natural rulers of the thoughtless ones.⁵⁶ It is obvious that an egalitarianism which appeals from the inequality regarding the mind to the equality regarding breathing and digestion does not meet the issue. Entirely different is the case of an egalitarianism which starts from morality and its implications. In passing moral judgments—in praising good men or good actions and in blaming bad men or bad actions—we presuppose that a man's actions, and hence also his being a good or a bad man, are in his power.⁵⁷ We presuppose therefore that prior to the exercise of their wills, or by nature, all men are equal with respect to the possibility of becoming good or bad men, *i.e.* in what seems to be the highest respect. Yet a man's upbringing or the conditions in which he lives would seem to affect greatly, if not decisively, his potentiality of becoming or being good or bad. To maintain a man's moral responsibility in the face of the unfavorable conditions which moulded him, one seems to be compelled to make him responsible for those conditions: he himself must have willed the conditions which as it were compel him to act badly. More generally, the apparent inequality among men in respect of the possibility of being good must be due to

⁵⁶ *Politics* 1254a28–b16.

⁵⁷ *Eth. Nic.* 1113b6ff.

human fault.⁵⁸ Moral judgment seems then to lead up to the postulate that a God concerned with justice has created all men equal as regards their possibility of becoming good or bad. Yet "matter" might counteract this intention of the just God. One must therefore postulate creation *ex nihilo* by an omnipotent God who as such must be omniscient, by the absolutely sovereign God of the Bible who will be what He will be, *i.e.* who will be gracious to whom He will be gracious; for, to say nothing of other considerations, the assumption that His grace is a function of human merit necessarily leads men into pride. In agreement with this, Thomas Aquinas teaches that even in the state of innocence, if it had lasted, men would have been unequal regarding justice and there would have been government by the superior man over men inferior to him. God is not unjust in creating beings of unequal rank and in particular men of unequal rank, since the equality of justice has its place in retribution, but not in creation which is an act, not of justice, but of liberality and is therefore perfectly compatible with the inequality of gifts; God does not owe anything to His creatures.⁵⁹ Considering the connection between intelligence and prudence on the one hand, and between prudence and moral virtue on the other, one must admit a natural inequality among men regarding morality; that inequality is perfectly compatible with the possibility that all men possess by nature equally the capability to comply with the prohibition against murder, for example, as distinguished from the capability of becoming morally virtuous in the complete sense or of becoming perfect gentlemen. One reaches the same conclusion even if one grants that the creatures have claims against God—claims which appeal to God's goodness or liberality, provided one understands by justice not a firm will to give everyone his due, but goodness tempered by wisdom; for given these assumptions, even such claims of some creatures as are justified on the ground of God's goodness might have to be denied on grounds of His wisdom, *i.e.* of His concern with the common good of the universe.⁶⁰ Equivalent considerations led Plato to trace vice to ignorance and to make

⁵⁸ Cf. Plato, *Timaeus* 41e3-4 and 90e6ff. Cf. *Gorgias* 526e1-4, *Republic* 379c5-7, 380a7-b8, 617e1-5.

⁵⁹ *S. th.* I. q. 21. a. 1., q. 23. a. 5., q. 65. a. 2., q. 96. a. 3-4.; *S. c. G.* II 44.

⁶⁰ Leibniz, *Principes de la Nature et de la Grâce* sect. 7, *Monadologie* sect. 50-51, 54, *Théodicée* sect. 151, 215.

knowledge the preserve of men endowed with particularly good natures. As for Aristotle, it may suffice here to say that moral virtue as he understands it is not possible without "equipment" and that for this reason alone, to say nothing of natural inequality, moral virtue in the full sense is not within the reach of all men.

For a better understanding of the classical view, one does well to cast a glance at that kind of egalitarianism which is most characteristically modern. According to Rousseau, through the foundation of society, natural inequality is replaced by conventional equality; the social contract which creates society is the basis of morality, of moral freedom or autonomy; but the practice of moral virtue, the fulfillment of our duties to our fellow men is the one thing needful.⁶¹ A closer analysis shows that the core of morality is the good will as distinguished from the fulfillment of all duties; the former is equally within the reach of all men, whereas as regards the latter natural inequality necessarily asserts itself. But it cannot be a duty to respect that natural inequality, for morality means autonomy, *i.e.* not to bow to any law which a man has not imposed upon himself. Accordingly, man's duty may be said to consist in subjugating the natural within him and outside of him to that in him to which alone he owes his dignity, to the moral law. The moral law demands from each virtuous activity, *i.e.* the full and uniform development of all his faculties and their exercise jointly with others. Such a development is not possible as long as everyone is crippled as a consequence of the division of labor or of social inequality. It is therefore a moral duty to contribute to the establishment of a society which is radically egalitarian and at the same time on the highest level of the development of man. In such a society, which is rational precisely because it is not natural, *i.e.* because it has won the decisive battle against nature, everyone is of necessity happy if happiness is indeed unobstructed virtuous activity; it is a society which therefore does no longer have any need for coercion.⁶² There may be some relics of natural inequality which are transmitted by

⁶¹ Cf. *Contrat Social* I 8–9 with the thesis of the *First Discourse*.

⁶² Cf. Fichte, *Ueber die Bestimmung des Gelehrten* I–III on the one hand, Marx-Engels, *Die Deutsche Ideologie* (Berlin: Dietz Verlag, 1953) 27–30, 68–69, 74, 221, 414–415, 449, and Marx, *Die Fruehschriften* (ed. Landshut) 233 and 290–295 on the other. Cf. the treatment of natural inequality by Hegel in his *Rechtsphilosophie* sect. 200.

the natural process of procreation, but they will gradually disappear since, as one can hope, the acquired faculties can also become inherited, to say nothing of human measures which may have to be taken during the transition period in which coercion cannot yet be dispensed with.—

For Aristotle, natural inequality is a sufficient justification for the non-egalitarian character of the city and is as it were part of the proof that the city is the natural association *par excellence*. The city is by nature, *i.e.* the city is natural to man; in founding cities men only execute what their nature inclines them to do. Men are by nature inclined to the city because they are by nature inclined to happiness, to living together in a manner which satisfies the needs of their nature in proportion to the natural rank of these needs; the city, one is tempted to say, is the only association which is capable of being dedicated to the life of excellence. Man is the only earthly being inclined toward happiness and he is capable of happiness. This is due to the fact that he is the only animal which possesses reason or speech, or which strives for seeing or knowing for its own sake, or whose soul is somehow "all things": man is the microcosm. There is a natural harmony between the whole and the human mind. Man would not be capable of happiness if the whole of which he is a part were not friendly to him. Man could not live if nature did not supply him with food and his other wants: nature has made, if not all animals, at least most of them for the sake of man, although not necessarily exclusively for this purpose, so that man acts according to nature if he captures or kills the animals useful to him.⁶³ One may describe this view of the relation of man to the whole as "optimism" in the original sense of the term: the world is the best possible world; we have no right to assume that the evils with which it abounds, and especially the evils which do not originate in human folly, could have been absent without bringing about still greater evils; man has no right to complain and to rebel. This is not to deny but to assert that the nature of man is enslaved in many ways so that only very few, and even these not always, can achieve happiness or the highest freedom of which man is by nature capable, so that the city actually dedicated to human excellence is,

⁶³ *Politics* 1252b27–1253a2, 1253a9–10, 1256b7–24, 1280b33–1281a2; *Eth. Nic.* 1178b24–28; *On the Soul* 431b21–23.

to say the least, very rare, and so that chance rather than human reason seems to be responsible for the various laws laid down by men.⁶⁴

Aristotle was compelled to defend his view of happiness or of the end of man against the poets' assertion that the divine is envious of man's happiness or bears malice to man.⁶⁵ He did not take seriously this assertion. It was taken up after his time in a considerably modified form: the whole as we know it is the work of an evil god or demon, as distinguished from the good or highest god; hence, the end toward which man is inclined as part of the visible whole or by nature, cannot be good. This view presupposes that man possesses knowledge of true goodness as distinguished from natural goodness; he cannot know true goodness by his natural powers, for otherwise the visible whole would not be simply bad; but for this reason the alleged knowledge of true goodness lacks cogency. Let us then turn to the modern criticism of Aristotle's principle. It does not suffice to say that the new, anti-Aristotelian science of the seventeenth century rejected final causes, for the classical "materialists" had done the same and yet not denied, as the modern anti-Aristotelians did, that the good life is the life according to nature and that "Nature has made the necessary things easy to supply." If one ponders over the facts which Aristotle summarizes by saying that our nature is enslaved in many ways, one easily arrives at the conclusion that nature is not a kind mother but a harsh stepmother to man, *i.e.* that the true mother of man is not nature. What is peculiar to modern thought is not this conclusion by itself but the consequent resolve to liberate man from that enslavement by his own sustained effort. This resolve finds its telling expression in the demand for the "conquest" of nature: nature is understood and treated as an enemy who must be subjugated. Accordingly, science ceases to be proud contemplation and becomes the humble and charitable handmaid devoted to the relief of man's estate. Science is for the sake of power, *i.e.* for putting at our disposal the means for achieving our natural ends. Those ends can no longer include knowledge for its own sake; they are reduced to comfortable self-preservation. Man as the potential conqueror of nature stands outside of nature. This

⁶⁴ *Metaphysics* 982b29 (cf. Plato, *Phaedo* 66d1-2 and context); *Eth. Nic.* 1154b7; *Politics* 1331b39-1332a3, 1332a29-31; Plato, *Laws* 709a-b.

⁶⁵ *Metaphysics* 982b32-983a4.

presupposes that there is no natural harmony between the human mind and the whole. The belief in such harmony appears now as a wishful or good-natured assumption. We must reckon with the possibility that the world is the work of an evil demon bent on deceiving us about himself, the world, and ourselves by means of the faculties with which he has supplied us or, which amounts to the same thing, that the world is the work of a blind necessity which is utterly indifferent as to whether it and its product ever becomes known. Surely we have no right to trust in our natural faculties; extreme skepticism is required. I can trust only in what is entirely within my control: the concepts which I consciously make and of which I do not claim more than that they are my constructs, and the naked data as they impress themselves upon me and of which I do not claim more than that I am conscious of them without having made them. The knowledge which we need for the conquest of nature must indeed be dogmatic, but its dogmatism must be based on extreme skepticism; the synthesis of dogmatism and skepticism eventually takes the form of an infinitely progressive science as a system or agglomeration of confirmed hypotheses which remain exposed to revision *in infinitum*. The break with the primary or natural understanding of the whole which is presupposed by the new dogmatism based on extreme skepticism leads to the transformation and eventually to the abandonment of the questions which on the basis of the primary understanding reveal themselves as the most important questions; the place of the primary issues is taken by derivative issues. This shift may be illustrated by the substitution of "culture" for "city."

From what has been said it follows that the modern posture both demands and cannot admit natural ends. The difficulty is indicated by the term "state of nature" which means no longer a completed or perfected but the initial state of man. This state is, because it is entirely natural, not only imperfect but bad: the war of everybody against everybody. Man is not by nature social, *i.e.* Nature dissociates men. This however means that nature compels man to make himself social; only because nature compels man to avoid death as the greatest evil can man compel himself to become and to be a citizen. The end is not something towards which man is by nature inclined but something towards which he is by nature compelled; more precisely, the end does not beckon man but it must be invented by man so that he can escape from his natural misery.

Nature supplies men with an end only negatively: because the state of nature is intolerable. This would seem to be the root of what Nietzsche discerned as the essentially ascetic character of modern morality. Man conquers nature (universal compulsion) because nature compels him to do so. The result is freedom. It looks as if freedom were the end towards which nature tends. But this is surely not what is meant. The end is not natural but only devised by man against nature and only in this sense devised on the basis of nature.

According to Aristotle, man is by nature meant for the life of human excellence; this end is universal in the sense that no man's life can be understood, or seen as what it is, except in the light of that end. That end however is very rarely achieved. Must there not then be a natural obstacle to the life of human excellence as Aristotle understood it? Can that life be the life according to nature? To discover a truly universal end of man as man, one must seek primarily not for the kind of natural laws for which a certain Aristotelian tradition sought, *i.e.* "normative" laws, laws which can be transgressed and which perhaps are more frequently transgressed than observed, but for natural laws as laws which no one can transgress because everyone is compelled to act according to them. Laws of the latter kind, it was hoped, would be the solid basis of a new kind of "normative" laws which as such can indeed be transgressed but are much less likely to be transgressed than the normative laws preached up by the tradition. The new kind of normative laws did no longer claim to be natural laws proper; they were rational laws in contradistinction to natural laws; they eventually become "ideals."⁶⁶ The ideal "exists" only by virtue of human reasoning or "figuring out"; it exists only "in speech." It has then an entirely different status from the end or perfection of man in classical political philosophy; it has however the same status as the best political order (the best regime) in classical political philosophy. One must keep this in mind if one wishes to understand the politicization of philosophic thought in modern times or in other words the obsolescence in modern thought of the distinction between nature and convention.

The fundamental change which we are trying to describe shows

⁶⁶ Hobbes, *De Cive* I 2, *Leviathan* ch. 13 and ch. 15 (see both versions); Spinoza, *Tr. theol.-pol.* IV sect. 1-5 (Bruder), *Ethics* IV praef.; Locke, *Essay* III 11.15.

itself in the substitution of "the rights of man" for "the natural law": "law" which prescribes duties has been replaced by "rights," and "nature" has been replaced by "man." The rights of man are the moral equivalent of the *Ego cogitans*. The *Ego cogitans* has emancipated itself entirely from "the tutelage of nature" and eventually refuses to obey any law which it has not originated in its entirety or to dedicate itself to any "value" of which it does not know that it is its own creation.—

It is not sufficient to say that the theme of the *Politics* is not the Greek city-state but the *polis* (the city): the theme of the *Politics* is the *politeia* (the regime), the "form" of a city. This appears immediately from the beginnings of each book of the *Politics* except the first.⁶⁷ At the beginning of the first book, Aristotle deals with the city without raising the question of the regime because his first task is to establish the dignity of the city as such: he must show that the city as city is by nature, *i.e.* that the city as essentially different from the household and other natural associations is by nature, for some men had denied that there is an essential difference between the city and the household, to say nothing of those who had denied that there are any natural associations. One may say that at the beginning of the *Politics*, Aristotle presents the city as consisting of certain associations as its parts. However this may be, at the beginning of the third book, he presents as parts of the city not other associations, not even human individuals, but the citizens.⁶⁸ It appears that "citizen" is relative to "regime," to the political order: a man who would be a citizen in a democracy would not necessarily be a citizen in an oligarchy, and so on. Whereas the consideration of those "parts" of the city which are the natural associations remains on the whole politically neutral, the consideration of those parts of the city which are the citizens necessarily becomes involved in a divisive, a political issue: by raising the question of what the citizen is, Aristotle approaches the core of the political question *par excellence*. What is true of the citizen is true of the good citizen, since the activity or the work of the citizen belongs to the same genus as that of the good citizen:⁶⁹ "good citizen," in contradistinction to "good man," too is relative to "regime"; obviously a good

⁶⁷ Cf. also *Eth. Nic.* 1181b12–23.

⁶⁸ *Politics* 1252a7–23, 1253a8–10, 1274b38–41.

⁶⁹ *Eth. Nic.* 1098a8–11.

Communist cannot but be a bad citizen in a liberal democracy and vice versa. The regime is the "form" of the city in contradistinction to its "matter," that matter consisting above all of the human beings who inhabit the city in so far as they are considered as not formed by any regime. The citizen as citizen does not belong to the matter, for who is or is not a citizen depends already on the form.⁷⁰ The form is higher in dignity than the matter because of its direct connection with the "end": the character of a given city becomes clear to us only if we know of what kind of men its preponderant part consists, *i.e.* to what end these men are dedicated.

Aristotle apparently draws the conclusion that a change of regime transforms a given city into another city. This conclusion seems to be paradoxical, not to say absurd: it seems to deny the obvious continuity of a city in spite of all changes of regime. For is it not obviously better to say that the same France which was first an absolute monarchy became thereafter a democracy than to say that democratic France is a different country from monarchic France? Or, generally stated, is it not better to say that the same "substance" takes on successively different "forms" which, compared with the "substance," are "mere" forms? It goes without saying that Aristotle was not blind to the continuity of the "matter" as distinguished from the discontinuity of the "forms"; he did not say that the sameness of a city depends exclusively on the sameness of the regime, for in that case there could not be, for instance, more than one democratic city; he says that the sameness of a city depends above all on the sameness of the regime.⁷¹ Nevertheless what he said runs counter to our notions. It does not run counter to our experience. In order to see this, one must follow his presentation more closely than is usually done. He starts from an experience. Immediately after a city has become democratic, the democrats sometimes say of a certain action (say, of a certain contractual obligation) that it is the action not of the city but of the deposed oligarchs or tyrant. The democrat, the partisan of democracy, implies that when there is not democracy, there is no city. It is no accident that Aristotle refers to a statement made by democrats as distinguished from oligarchs; perhaps the oligarchs will only say, after the transformation of the oligarchy into a democracy, that the city is going to pieces, leaving us

⁷⁰ *Politics* 1274b38, 1275a7-8.

⁷¹ *Politics* 1276b3-11.

wondering whether a city which is going to pieces can still be said simply to be. Let us say then that for the partisan of any regime the city "is" only if it is informed by the regime which he favors. There are other people, the moderate and sober people, who reject this extreme view and therefore say that the change of regime is a surface event which does not affect the being of the city at all. Those people will say that, however relative the citizen may be to the regime, the good citizen is a man who serves his city well under any regime. Let us call these men the patriots. The partisans will call them turncoats.⁷² Aristotle disagrees with both the partisans and the patriots. He says that a change of regime is much more radical than the patriots admit but less radical than the partisans contend: through a change of regime, the city does not cease to be but becomes another city—in a certain respect, indeed in the most important respect; for through a change of regime the political community becomes dedicated to an end radically different from its earlier end. In making his apparently strange assertion, Aristotle thinks of the highest end to which a city can be dedicated, namely, human excellence: is any change which a city can undergo comparable in importance to its turning from nobility to baseness or vice versa? We may say that his point of view is not that of the patriot or the ordinary partisan, but that of the partisan of excellence. He does not say that through a change of regime a city becomes another city in every respect. For instance, it will remain the same city in regard to obligations which the preceding regime has undertaken. He fails to answer the question regarding such obligations, not because he cannot answer it, but because it is not a political question strictly speaking, but rather a legal question.⁷³ It is easy to discern the principle which he would have followed in answering this legal question because he was a sensible man: if the deposed tyrant undertook obligations which are beneficial to the city, the city ought to honor them; but if he undertook the obligations merely in order to feather his own nest, the city is not obliged to honor them.

In order to understand Aristotle's thesis asserting the supremacy of the regime, one has only to consider the phenomenon now known as loyalty. The loyalty demanded from every citizen is not mere loyalty to the bare country, to the country irrespective of the regime,

⁷² Aristotle, *Resp. Ath.* 28.5; cf. Xenophon, *Hellenica* II 3.30–31.

⁷³ *Politics* 1276b10–15; cf. 1286a2–4.

but to the country informed by the regime, by the Constitution. A Facist or Communist might claim that he undermines the Constitution of the United States out of loyalty to the United States, for in his opinion the Constitution is bad for the people of the United States; but his claim to be a loyal citizen would not be recognized. Someone might say that the Constitution could be constitutionally changed so that the regime would cease to be a liberal democracy and become either Fascist or Communist and that every citizen of the United States would then be expected to be loyal to Fascism or Communism; but no one loyal to liberal democracy who knows what he is doing would teach this doctrine precisely because it is apt to undermine loyalty to liberal democracy. Only when a regime is in a state of decay can its transformation into another regime become publicly defensible.—We have come to distinguish between legality and legitimacy: whatever is legal in a given society derives its ultimate legitimation from something which is the source of all law ordinary or constitutional, from the legitimating principle, be it the sovereignty of the people, the divine right of kings, or whatever else. The legitimating principle is not simply justice, for there is a variety of principles of legitimacy. The legitimating principle is not natural law, for natural law is as such neutral as between democracy, aristocracy, and monarchy. The principle of legitimacy is in each case a specific notion of justice: justice democratically understood, justice oligarchically understood, justice aristocratically understood, and so on. This is to say, every political society derives its character from a specific public or political morality, from what it regards as publicly defensible, and this means from what the preponderant part of society (not necessarily the majority) regards as just. A given society may be characterized by extreme permissiveness, but this very permissiveness is in need of being established and defended, and it necessarily has its limits: a permissive society which permits to its members also every sort of non-permissiveness will soon cease to be permissive; it will vanish from the face of the earth. Not to see the city in the light of the variety of regimes means not to look at the city as a political man does, *i.e.* as a man concerned with a specific public morality does. The variety of specific public moralities or of regimes necessarily gives rise to the question of the best regime, for every kind of regime claims to be the best. Therefore the guiding question of

Aristotle's *Politics* is the question of the best regime. But this subject is better discussed on another occasion.

We conclude with a remark about a seeming self-contradiction of Aristotle's regarding the highest theme of his *Politics*. He bases his thematic discussion of the best regime on the principle that the highest end of man, happiness, is the same for the individual and the city. As he makes clear, this principle would be accepted as such by everyone. The difficulty arises from the fact that the highest end of the individual is contemplation. He seems to solve the difficulty by asserting that the city is as capable of the contemplative life as the individual. Yet it is obvious that the city is capable at best only of an analogue of the contemplative life. Aristotle reaches his apparent result only by an explicit abstraction, appropriate to a political inquiry strictly and narrowly conceived, from the full meaning of the best life of the individual;⁷⁴ in such an inquiry the trans-political, the supra-political—the life of the mind in contradistinction to political life—comes to sight only as the limit of the political. Man is more than the citizen or the city. Man transcends the city only by what is best in him. This is reflected in the fact that there are examples of men of the highest excellence whereas there are no examples of cities of the highest excellence, *i.e.* of the best regime—that men of the highest excellence (Plato and Aristotle) are known to have lived in deed, whereas of the best regime it is known only that it necessarily “lives” in speech. In asserting that man transcends the city, Aristotle agrees with the liberalism of the modern age. Yet he differs from that liberalism by limiting this transcendence only to the highest in man. Man transcends the city only by pursuing true happiness, not by pursuing happiness however understood.

⁷⁴ *Politics* 1323b40–1325b32; see particularly 1324a19–23. Consider, however, [Thomas'] *Commentary on Politics* VII, lectio 2.